

**TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT**

TO: Mayor and Councilmembers

FROM/PHONE: Bruce Taylor/954-327-3741

PREPARED BY: Heidi Cavicchia

SUBJECT: Ordinance

AFFECTED DISTRICT: Townwide

ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE TOWN OF DAVIE CODE OF ORDINANCES, CHAPTER 25 - UTILITIES, SECTION 25-32, ENTITLED "WATER CONSERVATION" TO CORRECT A SCRIVENERS ERROR, PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

REPORT IN BRIEF: To amend Section 25-32, entitled "Water Conservation" to amend the "Gallons per month" of Block 2 under "Residential -Single Family and Irrigation" to read "5,001 - 10,000". This was a typographical error in the original Ordinance. This change will make the blocks consistent with those established by Ordinance 2007-38 which establishes the rates, fees and charges for water and sewer services provided by the Town.

PREVIOUS ACTIONS: None

CONCURRENCES:

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

RECOMMENDATION(S): Motion to approve ordinance

Attachment(s): Ordinance

ORDINANCE _____

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE TOWN OF DAVIE CODE OF ORDINANCES, CHAPTER 25 - UTILITIES, SECTION 25-32, ENTITLED "WATER CONSERVATION" TO CORRECT A SCRIVENERS ERROR, PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Davie wishes to correct a scrivener's error in the Town's Code of Ordinances.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA.

SECTION 1. Section 25-32, entitled "Water Conservation" of the Town's Code of Ordinances is amended as follows:

Section 25-32 WATER CONSERVATION

The Town of Davie will practice year round water conservation. As such, the following block rates will be in effect for all residential customers when South Florida Water Management District mandates Phase II or higher Water Restrictions:

Normal Water Consumption Usage Conservation Blocks	Gallons per month	Surcharge
Residential - Single Family and Irrigation		
Block 1	0 – 5,000	0%
Block 2	<u>5,001</u> 6,001 -10,000	10%
Block 3	10,001 – 20,000	20%
Block 4	20,001 – 30,000	30%
Block 5	30,001 – 50,000	40%

Block 6	Over 50,000	50%
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SECTION 3. All ordinances or parts of ordinances in conflict herewith are to the extent of such conflict hereby repealed.

SECTION 4. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this ordinance.

SECTION 5. This ordinance shall take effect immediately upon its passage and adoption.

PASSED ON FIRST READING THIS ____ DAY OF _____, 2009

PASSED ON SECOND READING THIS ____ DAY OF _____, 2009

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS ____ DAY OF _____, 2009